

110TH CONGRESS
1ST SESSION

H. R. 1605

To amend title 46, United States Code, to repeal requirements that applicants for merchant seamen licenses and certificates and merchant mariner's documents must take oaths, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2007

Mr. LATOURETTE (for himself, Mr. YOUNG of Alaska, and Mr. LoBIONDO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 46, United States Code, to repeal requirements that applicants for merchant seamen licenses and certificates and merchant mariner's documents must take oaths, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Merchant Mariner Cre-
5 dentials Improvement Act of 2007”.

1 **SEC. 2. OATHS.**

2 Sections 7105 and 7305 of title 46, United States
3 Code, and the items relating to such sections in the anal-
4 ysis for chapters 71 and 73 of such title, are repealed.

5 **SEC. 3. DURATION OF CREDENTIALS.**

6 (a) MERCHANT MARINER'S DOCUMENTS.—Section
7 7302(f) of title 46, United States Code, is amended to
8 read as follows:

9 “(f) PERIODS OF VALIDITY AND RENEWAL OF MER-
10 CHANT MARINERS' DOCUMENTS.—

11 “(1) IN GENERAL.—Except as provided in sub-
12 section (g), a merchant mariner's document issued
13 under this chapter is valid for a 5-year period and
14 may be renewed for additional 5-year periods.

15 “(2) ADVANCE RENEWALS.—A renewed mer-
16 chant mariner's document may be issued under this
17 chapter in advance but is not effective until the date
18 that the previously issued merchant mariner's docu-
19 ment expires.”.

20 (b) DURATION OF LICENSES.—Section 7106 of such
21 title is amended to read as follows:

22 **“§ 7106. Duration of licenses**

23 “(a) LICENSE RENEWAL.—A license issued under
24 this part is valid for a 5-year period and may be renewed
25 for additional 5-year periods; except that the validity of
26 a license issued to a radio officer is conditioned on the

1 continuous possession by the holder of a first-class or sec-
 2 ond-class radiotelegraph operator license issued by the
 3 Federal Communications Commission.

4 “(b) ADVANCE RENEWALS.—A renewed license
 5 issued under this part may be issued in advance but is
 6 not effective until the date that the previously issued li-
 7 cense expires.”.

8 (c) CERTIFICATES OF REGISTRY.—Section 7107 of
 9 such title is amended to read as follows:

10 **“§ 7107. Duration of certificates of registry**

11 “(a) CERTIFICATES OF REGISTRY RENEWAL.—A cer-
 12 tificate of registry issued under this part is valid for a
 13 5-year period and may be renewed for additional 5-year
 14 periods; except that the validity of a certificate issued to
 15 a medical doctor or professional nurse is conditioned on
 16 the continuous possession by the holder of a license as a
 17 medical doctor or registered nurse, respectively, issued by
 18 a State.

19 “(b) ADVANCE ISSUANCE.—A renewed certificate of
 20 registry issued under this part may be issued in advance
 21 but is not effective until the date that the previously issued
 22 certificate of registry expires.”.

23 **SEC. 4. PROCESSING TIME FOR DOCUMENTS.**

24 Section 2110 of title 46, United States Code, is
 25 amended by adding at the end the following:

1 “(1) LIMITATION WITH RESPECT TO PROCESSING
 2 TIME.—The Secretary may not charge a fee under this
 3 section for the application, processing, or issuance of a
 4 merchant mariner’s document for an individual under
 5 chapter 73 if, within 30 days after the date the individual
 6 submits a complete application for the document, the Sec-
 7 retary has not—

8 “(1) issued the document to the individual; or

9 “(2) notified the individual that the document
 10 will not be issued because the individual does not
 11 meet the qualifications for issuance of that docu-
 12 ment under that chapter.”.

13 **SEC. 5. FINGERPRINTING.**

14 (a) MERCHANT MARINER LICENSES AND DOCU-
 15 MENTS.—Chapter 75 of title 46, United States Code, is
 16 amended by adding at the end the following:

17 **“§ 7507. Fingerprinting**

18 “(a) IN GENERAL.—The Secretary of the Depart-
 19 ment in which the Coast Guard is operating may not re-
 20 quire an individual to be fingerprinted for the issuance
 21 or renewal of a license, a certificate of registry, or a mer-
 22 chant mariner’s document under chapter 71 or 73 if the
 23 individual was fingerprinted when the individual applied
 24 for a transportation security card under section 70105.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
 2 chapter is amended by adding at the end the following:
 “7507. Fingerprinting.”.

3 **SEC. 6. AUTHORIZATION TO EXTEND THE DURATION OF LI-**
 4 **CENSES, CERTIFICATES OF REGISTRY, AND**
 5 **MERCHANT MARINERS’ DOCUMENTS.**

6 (a) MERCHANT MARINER LICENSES AND DOCU-
 7 MENTS.—Chapter 75 of title 46, United States Code, as
 8 amended by section 5(a) of this Act, is further amended
 9 by adding at the end the following:

10 **“§ 7508. Authority to extend the duration of licenses,**
 11 **certificates of registry, and merchant**
 12 **mariner documents**

13 “(a) LICENSES AND CERTIFICATES OF REGISTRY.—
 14 Notwithstanding section 7106 and 7107, the Secretary of
 15 the department in which the Coast Guard is operating
 16 may extend for one year an expiring license or certificate
 17 of registry issued for an individual under chapter 71 if
 18 the Secretary determines that such action is required to
 19 enable the Coast Guard to eliminate a backlog in proc-
 20 essing applications for such licenses or certificates of reg-
 21 istry.

22 “(b) MERCHANT MARINER DOCUMENTS.—Notwith-
 23 standing section 7302(g), the Secretary may extend for
 24 one year an expiring merchant mariner’s document issued
 25 for an individual under chapter 71 if the Secretary deter-

1 mines that such action is required to enable the Coast
 2 Guard to eliminate a backlog in processing applications
 3 for such documents.

4 “(c) MANNER OF EXTENSION.—Any extensions
 5 granted under this section may be granted to individual
 6 seamen or a specifically identified group of seamen.

7 “(d) EXPIRATION OF AUTHORITY.—The authority
 8 for providing an extension under this section shall expire
 9 on June 30, 2009.”.

10 (b) CLERICAL AMENDMENT.—The analysis for such
 11 chapter, as amended by section 5(b), is further amended
 12 by adding at the end the following:

“7508. Authority to extend the duration of licenses, certificates of registry, and
 merchant mariner documents.”.

13 **SEC. 7. MERCHANT MARINER DOCUMENTATION.**

14 (a) INTERIM CLEARANCE PROCESS.—Not later than
 15 180 days after the date of enactment of this Act, the Sec-
 16 retary of the department in which the Coast Guard is op-
 17 erating shall develop an interim clearance process for
 18 issuance of a merchant mariner document to enable a
 19 newly hired seaman to begin working on an offshore sup-
 20 ply vessel or towing vessel if the Secretary makes an initial
 21 determination that the seaman does not pose a safety and
 22 security risk.

23 (b) CONTENTS OF PROCESS.—The process under
 24 subsection (a) shall include a check against the consoli-

1 dated and integrated terrorist watch list maintained by the
2 Federal Government, review of the seaman's criminal
3 record, and review of the results of testing the seaman
4 for use of a dangerous drug (as defined in section 2101
5 of title 46, United States Code) in violation of law or Fed-
6 eral regulation.

7 **SEC. 8. MERCHANT MARINER ASSISTANCE REPORT.**

8 Not later than 180 days after the date of enactment
9 of this Act, the Commandant of the Coast Guard shall
10 submit to the Committee on Transportation and Infra-
11 structure of the House of Representatives and the Com-
12 mittee on Commerce, Science, and Transportation of the
13 Senate a report regarding a plan—

14 (1) to expand the streamlined evaluation proc-
15 ess program that was affiliated with the Houston
16 Regional Examination Center of the Coast Guard to
17 all processing centers of the Coast Guard nation-
18 wide;

19 (2) to include proposals to simplify the applica-
20 tion process for a license as an officer, staff officer,
21 or operator and for a merchant mariner's document
22 to help eliminate errors by merchant mariners when
23 completing the application form (CG-719B), includ-
24 ing instructions attached to the application form and
25 a modified application form for renewals with ques-

1 tions pertaining only to the period of time since the
2 previous application;

3 (3) to provide notice to an applicant of the sta-
4 tus of the pending application, including a process to
5 allow the applicant to check on the status of the ap-
6 plication by electronic means; and

7 (4) to ensure that all information collected with
8 respect to applications for new or renewed licenses,
9 merchant mariner documents, and certificates of
10 registry is retained in a secure electronic format.

11 **SEC. 9. MERCHANT MARINER SHORTAGE REPORT.**

12 Not later than 180 days after the date of enactment
13 of this Act, the Secretary of Transportation, acting
14 through the Administrator of the Maritime Administra-
15 tion, shall submit to the Committee on Transportation and
16 Infrastructure of the House of Representatives and the
17 Committee on Commerce, Science, and Transportation of
18 the Senate a report concerning methods to address the
19 current and future shortage in the number of merchant
20 mariners, particularly entry-level mariners, including an
21 evaluation of whether an educational loan program pro-
22 viding loans for the cost of on-the-job training would pro-
23 vide an incentive for workers and help alleviate the short-
24 age.

1 **SEC. 10. MERCHANT MARINER DOCUMENT STANDARDS.**

2 Not later than 270 days after the date of enactment
3 of this Act, the Secretary of the department in which the
4 Coast Guard is operating shall submit to the Committee
5 on Transportation and Infrastructure of the House of
6 Representatives and the Committee on Commerce,
7 Science, and Transportation of the Senate—

8 (1) a plan to ensure that the process for an ap-
9 plication, by an individual who has, or has applied
10 for, a transportation security card under section
11 70105 of title 46, United States Code, for a mer-
12 chant mariner document can be completed entirely
13 by mail; and

14 (2) a report on the feasibility of, and a timeline
15 to, redesign the merchant mariner document to com-
16 ply with the requirements of such section, including
17 a biometric identifier, and all relevant international
18 conventions, including the International Labour Or-
19 ganization Convention Number 185 concerning the
20 seafarers identity document, and include a review on
21 whether or not such redesign will eliminate the need
22 for separate credentials and background screening
23 and streamline the application process for mariners.

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